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The Weather—Occasional rain to-night and Thursday.

Oregon Daily Journal

JOURNAL CIRCULATION YESTERDAY WAS 30,410

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PORTLAND, OREGON, WEDNESDAY EVENING, OCTOBER 14, 1908.—TWENTY PAGES.

PRICE TWO CENTS. ON TRAINS AND NEWS STANDS, FIVE CENTS.

MARTIN ON STAND ACCUSED TELLS OF HIS MOVEMENTS ON DAY WOLFF WAS MURDERED

LAND FRAUD WOULD BRING TWO BRIDGES JURY HALF WINNER TO PICKED COAST MAY BURDEN THE CITY

Progress Made in Case of Los Angeles Men Indicted for Alleged Conspiracy in Curry County—Demurrer Is Overruled.

Negotiations to Have Eastern Baseball Champs Meet Los Angeles Team—Forfeit to Be Posted—Big Wager Offered.

City Attorney Shows How East Clay Structure Could Be Pressed Although Portland's Voters Have Authorized Sale of Bonds.

Jurors Selected This Morning.
John Borwick, farmer, Washington county.
A. H. Birrell, real estate, Multnomah.
William H. Egan, farmer, Marion.
F. E. Dodd, farmer, Benton.
Christian Kocher, farmer, Clackamas.
W. G. Walker, rural mail carrier, Marion.

Foremporarily Challenged by Defense.
Thomas Clark, farmer, Union.
Fred Ernest, harness maker, Multnomah.
A. J. Johnson, farmer, Lane.
Elliott J. Swafford, clerk, Marion.

George Cochran, farmer, Lin. William H. Fear, real estate, Multnomah.

Six of the 12 jurors who are to hear the testimony in the case of the government against the five defendants charged with conspiring to defraud the United States of something like 30,000 acres of land in Curry county, were selected in the federal court this morning by both sides.

Out of the 10 preliminary challenges which were allowed the defense owing to the fact that the charge against the defendant is that of felony, four were used this morning. The government is allowed but three challenges but exercised none up till the noon recess.

Demurrer Overruled.
The demurrer filed by counsel for the defense Monday was overruled by Judge Wolverton yesterday afternoon and the trial of the United States against the men who represented the Pacific Furniture & Land company ordered to proceed at once. John Manning, former district attorney, is to be associated with Marcus C. MacLeure of Los Angeles in the defense.

William H. Smith of San Francisco appeared this morning and pleaded not guilty. The five defendants now on trial, in addition to Smith who pleaded this morning, are Dr. A. H. Hedderly, Los Angeles; Richard Hyman, Los Angeles; Lee R. Myers, Los Angeles; and Jeremiah Huntley, Curry county.

Fear Prejudiced.
George Cochran was excused owing to a defect in his hearing and William H. Fear of the Merchants Saving & Trust company, Portland, because he said he had some prejudices. Said he were made loans on certain lands some years ago and that he had otherwise been connected with some of the defendants in the Oregon land fraud cases.

Six other men from the venire of 60 were called when court resumed at 2 o'clock this afternoon and are being questioned by the attorneys.

It will be some time tomorrow in all probability before the government attorneys, John McCourt and Tracey C. Becker, begin presenting their side of the case.

FINAL SCORE:
Chicago . . . 2
Detroit . . . 0

(United Press Leased Wire.)
Detroit, Mich., Oct. 14.—Confident that the Los Angeles team of the Pacific Coast league can defeat the Chicago Cubs, Henry Berry and Cal Ewing are in conference today with Frank Chance and Battling Nelson, arranging the details of a seven-game series to be played at the conclusion of the present series between Chicago and Detroit for the world's championship.

When Berry, manager of the Angels, and Ewing, president of the Pacific Coast league, met Chance and the batter at the Tuller last night, a discussion arose as to the merits of the western champions. Berry and Ewing offered to bet \$15,000 that the Angels could win from the Cubs in a seven-game series. Chance and Nelson agreed to pool and cover the money if satisfactory arrangements could be made and a conference was set for this evening. As

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COLONEL TUCKER VERY SICK MAN

So Ill That Officers Decline to Take Him Back to Chicago.

(United Press Leased Wire.)
Chicago, Oct. 14.—That Lieutenant Colonel W. F. Tucker, who was arrested yesterday on the charge of having deserted his wife, the daughter of former United States Senator John A. Logan, will not live long is the statement made by Detective Blaul, who returned from St. Louis today.

Blaul brought a certificate signed and sworn to by Dr. L. T. Brehens of St. Louis declaring that Colonel Tucker was suffering from cirrhosis of the liver and weakness of the heart and that removal to Chicago would endanger his life.

The man is more dead than alive, said Blaul today, "and if I had taken him off the train when I served the warrant he would probably have died within 24 hours."

Chief of Police Shippy declared today that if those who want Tucker are determined to have him brought back to Chicago they can present the case to the grand jury.

The colonel is on his way to the government hospital at Hot Springs, where he has been ordered for observation and treatment.

According to an opinion of City Attorney Kavanagh submitted to the council today the city may be confronted with the liability of paying for two bridges across the river so close together as to be of little use to the people.

Under the recent charter amendment the executive board must go ahead and sell the bonds provided for the erection of a bridge where the present Madison street structure now stands.

A petition by residents of the east side calling for the building of a bridge at Clay street, only two blocks away, does not come under this amendment and if the people so desire they can force a special election at which a two-thirds vote of the property owners would commit the city to the building of a bridge at that location without giving the executive board any discretion in the matter of erecting the Madison street bridge.

Following is the part of the city attorney's opinion:
If this petition (referring to the petition for the Clay street bridge) is pressed, the electors will be confronted with a proposition to construct a second bridge so near the existing one of no practical utility, if it could be of any service to the public. These petitioners ought to realize the situation in which the council is placed. On the other hand the electors have adopted an amendment providing for the issue and disposal of bonds for the construction of a bridge at Madison street. The present structure is in a dangerous condition and the public interest demands immediate action. The charter amendment in the circumstances must be considered a mandate from the people to proceed with the sale of the bonds. The council has no choice of course while this remains a part of the charter, but must issue and sell the bonds for the construction of the bridge at the place fixed by the amendment. It cannot evade this duty unless the charter amendment is repealed or amended, and the city can not be released by repeal or amendment from its contractual obligations after the rights of third parties intervene. Contract obligations will arise in the "near future." After stating that the petition can result in nothing but the expense of a special election the city attorney earnestly advises the petitioners to recall it.

NO USE TO RUN ON G. O. P. TICKET

(United Press Leased Wire.)
San Antonio, Texas, Oct. 14.—John R. Elgin, the Republican candidate for congress from this district, announced today that he had withdrawn from the race because of the failure of the party managers to support him. This leaves Congressman James L. Slayden, Democrat, without an opponent for reelection.

TRAINS CRASH AT A CURVE

Two Engineers Killed and Fireman Injured on the Rio Grande.

(United Press Leased Wire.)
Salt Lake, Utah, Oct. 14.—Two men were killed and several injured in a freight wreck at Jordan Narrows on the Denver & Rio Grande early today. The trains collided head on at a dangerous curve. Neither engineer knew of the approach of the other train until it was too late to prevent the accident.

T. J. Loftus and W. McAleer, engineers, were killed instantly and Fireman R. Thomas was badly injured. Several members of the crews were injured by jumping.

The main line of the Denver & Rio Grande is tied up and all trains are being diverted over the Salt Lake route at Provo.

Accused Tells of His Movements on Day Wolff Was Murdered



Sketches From Life at Martin Trial by Seed.

CANAL BONDS DEAL BIG MYSTERY

(United Press Leased Wire.)
New York, Oct. 14.—The New York World today prints a cable from Paris in connection with its efforts to learn definitely who got the \$40,000,000 paid by the government for the Panama canal, in which it is alleged that every source of information has been obliterated.

The Paris message asserts that all record of the identity of the persons who received the cash has been hidden and that the records of the details of the agreement between the United States and the Panama Canal company have been either destroyed or lost.

The New York World is supporting Bryan in the present presidential campaign and the investigation by the World was based on a rumor that Douglas Robinson, brother-in-law of President Roosevelt, and Charles P. Taft, brother of the Republican presidential candidate, made large profits in dealing in Panama securities.

The World says the liquidation of the French company's securities, after four years of negotiations, it asserts that all official records of the transactions have been removed.

The sale of the canal to the United States was made by William Nelson Cromwell, who is prominent in the Republican campaign.

JOURNAL NEWS ITEM LEADS TO IDENTIFICATION

Through the description published in The Journal, the body of Roy Gillespie, the 15-year-old boy who lost his life by falling from a freight train near Oakland last Sunday, was positively identified yesterday by Neil McKinnon and Percy McKinnney, friends of the unfortunate lad.

Clement Gillespie, an elder brother of the dead boy, left last night for Roseburg and will return at 5 o'clock this afternoon with the remains. The boy lived at the Palmer house, Park and Alder streets, with his mother and brother. He had formerly worked at the Lyric theatre. Mrs. Gillespie is unable to account for her son's leaving home. He was apparently happy and contented and had never expressed any desire nor shown any inclination to rove over the country.

The remains will be taken to Minneapolis, the former home of the Gillespies, for interment.

CAPTAIN RODGERS MADE REAR-ADMIRAL

Navy Yard, Puget Sound, Wash., Oct. 14.—Captain John A. Rodgers, commandant of this yard, received word today to the effect that he had been promoted to the rank of rear-admiral and that his commission dates from September 7 last. He expects to receive his commission this week, at which time he will assume the higher rank. The ceremonies marking his becoming a rear-admiral will be simple in the extreme. A read-admiral's salute of 13 guns will be given him and a rear-admiral's pennant will be taken on the receiving ship Philadelphia in place of the senior officer's flag now flying over that ship.

MIKADO BIDS PEOPLE BE PACIFIC

(United Press Leased Wire.)
Tokio, Oct. 14.—The arrival of the Pacific coast business men at Japan's capital today was marked by the issuing of an imperial edict by the mikado calling on the Japanese people to cultivate friendly relations with America and the western hemisphere and to cease the "war words" that may result in the disrupting of international relations.

The edict promulgated today is one of the most remarkable that has ever been handed down from the throne, and is said by diplomats here to mark a new era in the history of the orient.

The emperor calls on the people to elevate the morals of the Japanese nation. "We must avoid the evil results of a war of words starting with the people," says the edict, "and must endeavor to enhance international friendly relations and cultivate good will and mutual trust between the west and the east."

The Pacific business men arrived here today and were welcomed by an immense concourse of people at the depot, including the officials and representatives of all the chambers of commerce in Japan. During the day they were entertained with excursions to points of interest about the city and at night they were guests at a dinner at the famous Maple club by the combined Japanese chambers of commerce. Everything in the dinner was Japanese, and the Americans were delighted with the reception.

Tomorrow the Americans will be the guests of honor at a luncheon given by Baron Komura, minister of foreign affairs.

TRIES TO PROVE HE WAS AT HOME

Declares He Slept in Barn Night Crime Was Committed.

Edward H. Martin told his own story on the witness stand this morning. Waving his arms much of the time in dramatic fashion and leaning far over in his chair to give emphasis to his language, he asserted his innocence of the murder of Nathan Wolff and declared that he was in a barn back of his house in Sellwood on the night of the murder, sleeping off the effects of the frequent doses of morphine and cocaine he had taken.

One by one Attorney Jeffrey led him over the ground of accusing circumstances and Martin gave his answers, admitting many of them in part, but stopping short of anything that would incriminate him. He admitted borrowing a gun from Mrs. Greb the morning of May 7, and said he sold it a few hours later. He admitted selling his own gun the same morning, and declared that his face was scratched at that time. He said he received his scratches in some fight in a house of ill-fame, but with whom he could not tell. The cravenette identified as Wolff's he said in his own. He said he had owned many pairs of Dent's gloves, but could not remember that he had any with him at the Selkedge hotel where the gloves identified by Mrs. Wolff as those of her husband were found. He admitted buying one shirt from Max Drey, and only one.

After his direct examination had been finished he was once more taken over the ground he had covered by Deputy.

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IT IS YOUR DUTY TO REGISTER

It is the plain duty of every citizen of this state to register without further delay. Every one must register unless he has already registered since January of this year. Have you changed your address since you last registered? If so you must register again, giving the new address. You may save yourself much embarrassment at the polls of your former precinct by doing so—but do it now. Voters throughout the state who do not wish to go to the county seat may go before a notary public or justice of the peace, with two witnesses, and register. This must be done before October 20. The country needs your vote no matter for whom you will cast it. If you wait until the rush days just before registration closes it will take three times as long to get your name in the right place. You'll save time by taking a few minutes and registering NOW. If you know of a Bryan voter who has not registered, use your influence to have him do so at once, or phone his name and address to The Journal.

NEARLY TWO HUNDRED MEN CAUGHT IN BURNING MINE

Vienna, Oct. 14.—Nearly 200 men are entombed and probably have been burned to death today as the result of an explosion in the Koenigs coal mine, in the province of Silesia. There is no hope of saving the imprisoned men, as fire has cut off the work of rescue and there is every indication that the disaster is one of the worst in the history of mining. It is believed that nearly all the entombed miners are doomed to be burned alive, if they are not already dead. Six charred bodies have been taken out. A report received by the government here says that the explosion was caused by coal dust, and that it was followed by numerous smaller explosions in various parts of the mine, which carried the fire into all chambers of the workings. So far an accurate statement of the number of men in the mine has not been obtained, but the best estimate places the number at 200.

FOR WOMEN READERS

Next Sunday's Transfer Supplement will consist of a beautiful shirtwaist pattern—one that any lady will be proud to possess. Don't forget to secure The Sunday Journal of October 18. It's five cents. The transfer patterns with last Sunday's Journal seemed to meet with the universal approval of our women readers. This encourages us to continue giving these patterns with The Sunday Journal